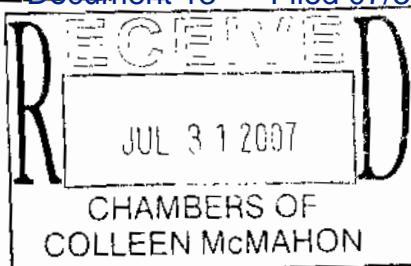


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DATE FILED: <u>7/31/07</u>



mcMahon, st

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANDREW R. MAY, On Behalf of Himself and All
Others Similarly Situated,

Plaintiff,

-against-

TELIK, INC., MICHAEL M. WICK, CYNTHIA M.
BUTUITTA, UBS SECURITIES LLC, LEHMAN
BROTHERS HOLDINGS, INC., BEAR, STEARNS
& CO., INC., NEEDHAM & COMPANY, INC.,
LAZARD FRERES & CO. LLC, FORTIS
SECURITIES INC., and J.P. MORGAN
SECURITIES INC.,

Defendants.

07 Civ. 4819 (CM)

STIPULATION
AND ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the parties to
this action through their undersigned counsel, as follows:

1. Counsel for defendants has agreed to accept service of the summons and
complaint for defendant Cynthia M. Butitta.

2. The time for defendants Telik, Inc., Michael M. Wick and Cynthia M.
Butitta (the "Defendants") to answer, move or otherwise respond to the Complaint is adjourned
sine die;

3. Lead Plaintiff shall file its Consolidated Amended Class Action Complaint
("Amended Complaint") forty-five days (45) after the entry of an order appointing Lead
Plaintiff;

ny-767452

The Court will set a schedule
(much shorter than this one)
at the conclusion of the
opinion on the lead plaintiff motion
cm

4. The Defendants shall move or otherwise respond to the Amended Complaint within forty-five days (45) after service of the Amended Complaint;

5. Should the Defendants file a Motion, rather than an Answer, Lead Plaintiff shall file its Opposition to any Motion to Dismiss with forty-five days (45) after the service of the Defendants' Motion to Dismiss; and

6. The Defendants shall file their Reply to Lead Plaintiff's Opposition to Defendants' Motion to Dismiss with thirty days (30) after service of Lead Plaintiff's Opposition.

7. No provision of this Stipulation and Order shall be construed as a waiver of, and Defendants expressly reserve any and all defenses.

There has been no previous request for an extension of time in connection with this matter.

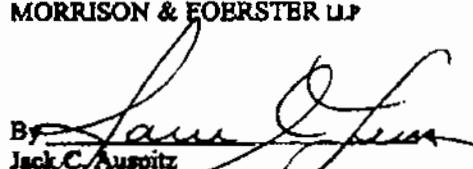
Dated: New York, New York
July 30, 2007

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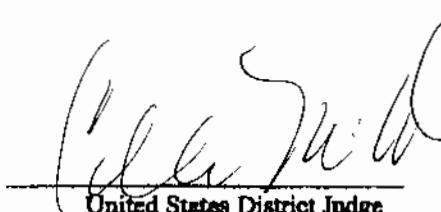
Attorneys for Plaintiff

SO ORDERED

New York, New York

Date: _____

7/31/07



United States District Judge